

## REMARKS

### I. STATUS OF THE CLAIMS

Claim 13 is canceled, as this claim was withdrawn from consideration.

Claim 1 is amended to include the features of claim 4, and claim 4 is canceled. Claim 17 is amended to include features which are somewhat similar to those in claim 4.

New claims 18-20 are added and correspond, respectively, to claims 6-8 written in independent form.

New claim 21 is added. New claim 21 is somewhat similar to claim 1 but, for example, includes means-plus-function language.

In view of the above, it is respectfully submitted that claims 1-3, 5-12 and 14-21 are currently pending.

### II. REJECTION OF CLAIMS 1, 3, 5, 10, 14-15 AND 17 UNDER 35 USC 102(E) AS BEING ANTICIPATED BY TSUZAKI

Claim 1 is amended to include the features of claim 4, to thereby recite that the auxiliary light controller changes the optical power of the auxiliary light with a prescribed response time based on a change in input power of the multi-wavelength light.

Therefore, the amended claim 1 is concerned with the *response time*. The response time is recited in further detail in claims 6-8. Various embodiments of the present invention relating to the response time are disclosed, for example, in FIGS. 8-9, and the corresponding disclosure on page 22, line 25, through page 27, line 24, of the specification.

The Examiner asserts that the response time of claim 4 (which is now amended into claim 1) is disclosed in Lelic. More specifically, the Examiner points to FIG. 2A and column 10, lines 30-35, of Lelic, as disclosing the adjustment of a response time of pump controllers. The Examiner then combines the adjustment of a response time in Lelic with Tsuzaki.

However, it is respectfully submitted that the portions of Lelic cited by the Examiner disclose the monitoring of optical powers by PD1-PD4 at positions at which PD1-PD4 are located, and controlling supply of pumping light powers using sub-controllers 231 and 232 so as to have a flat gain. Lelic does not relate to a response time for changing optical power of an auxiliary light in the manner recited, for example, in the amended claim 1.

Accordingly, it is respectfully submitted that the adjustment in Lelic is substantially different than that recited, for example, in the amended claim 1. Therefore, it is respectfully submitted that even if Lelic was combined with Tsuzaki, the combination would not disclose or suggest the present invention as recited, for example, in the amended claim 1.

The above comments are specifically directed to claim 1. However, it is respectfully submitted that the comments would be helpful in understanding differences of various other claims over the cited references.

Moreover, please note that claim 17 is amended in a somewhat similar manner as claim 1.

Claims 6-8 recite further details of the response time. Moreover, new claims 18-20 correspond, respectively, to original claims 6-8 written in independent form. Therefore, it is respectfully submitted that these claims are allowable over the cited references.

In view of the above, it is respectfully submitted that the rejection is overcome.

III. REJECTION OF CLAIM 12 UNDER 35 USC 103 AS BEING UNPATENTABLE OVER TSUZAKI IN VIEW OF OKUNO

The comments in Section II, above, also apply here, where appropriate.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. REJECTION OF CLAIM 2 UNDER 35 USC 103 AS BEING UNPATENTABLE OVER TSUZAKI

The comments in Section II, above, also apply here, where appropriate.

In view of the above, it is respectfully submitted that the rejection is overcome.

V. REJECTION OF CLAIMS 4, 6-9 AND 11 UNDER 35 USC 103 AS BEING UNPATENTABLE OVER TSUZAKI IN VIEW OF LELIC

The comments in Section II, above, also apply here, where appropriate.

In view of the above, it is respectfully submitted that the rejection is overcome.

VI. DRAWING

A Replacement Sheet is submitted herewith, in which FIG. 1 is labeled "PRIOR ART".

In view of the above, it is respectfully submitted that the objection is overcome.

VII. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

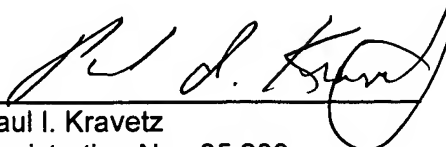
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If any further fees are required in connection with the filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

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